REMARKS

Applicants have carefully studied the outstanding Official Action. The present amendment is fully responsive to all points of rejection and the application is in condition for allowance. The present amendment amends claims 19 and 47, without cancelling any claims or adding any new claims. As discussed below, this amendment complies with a requirement of form expressly set forth in the pending Office Action and may be entered pursuant to 37 C.F.R. §1.116(b)(1). Entry of this amendment, favorable reconsideration and allowance of the present application are hereby respectfully requested.

The previous office action mailed on 14 November 2008 relied in part on Jones (US 6,697,944), but it was not identified on any IDS or on the form PTO-892 accompanying that office action. In replying to that office action on 10 March 2009, applicants requested that Jones be identified in a Notice of References Cited. Applicants respectfully renew that request at this time.

Claims 1 - 14, 17 - 21, 26 - 42, 45 - 49, and 58 - 60 were pending in the present application before the present amendment.

Thus, claims 1 - 14, 17 - 21, 26 - 42, 45 - 49, and 58 - 60 remain pending in the present application after the present amendment.

Claims 19 and 47 stand objected to under 37 CFR §1.75(c), as being of improper dependent form. Before the present amendment, claims 19 and 47 depended from cancelled claims, due to an inadvertent error in the response to the previous office action. The error in claims 19 and 47 has been corrected by making claims 19 and 47 depend from their respective base independent claims. This already was anticipated by the present Office Action that states concerning claims 19 and 47 that it "is assumed they now depend upon their respective independent claims."

Entry of the amendment is requested, and the objection to claims 19 and 47 is therefore deemed to be overcome.

Claims 1, 3 - 14, 29, 31 - 42, and 58 - 60 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Patent 7,003,551), in view of Shen et al (US Published Patent Application 2004/0098463).

Malik describes an e-mail system in which large attachments to e-mail messages can be replaced by pointers to attachment files in an e-mail store.

Shen et al describes a transcoding-enabled caching proxy and method, in which transcoded versions of a content object are cached in accordance with a caching strategy.

The rejection of claims 1, 3 - 14, 29, 31 - 42, and 58 - 60 is respectfully traversed.

Claim 1 recites as follows:

"A method for distributing multimedia content, the method comprising:

storing an item of multimedia content as stored multimedia content;

firstly transcoding said multimedia content for playback on a first multimedia device, thereby producing a firstly transcoded version of said multimedia content;

generating a content ID of said firstly transcoded version of said multimedia content;

storing said content ID of said firstly transcoded version of said multimedia content, as a stored first content ID, in association with said stored multimedia content;

receiving an instruction to forward said item of multimedia content to a second multimedia device, said instruction comprising a copy of said firstly transcoded version of said multimedia content; and

performing the following in response to said instruction:

accessing said stored content using said stored first content ID of said firstly transcoded version of said multimedia content, said accessing comprising:

generating a received content ID of said copy of said firstly transcoded version of said multimedia content; and

looking up said stored multimedia content by comparing said received content ID with said stored first content ID; and

transcoding said stored multimedia content for playback on said second multimedia device."

Attention is particularly drawn to the following portion of the recitation of claim 1 (emphasis added):

"accessing said stored content **using said stored first content ID of said firstly transcoded version of said multimedia content**, said accessing comprising: generating a received content ID of said copy of said firstly transcoded version of said multimedia content; and looking up said stored multimedia content by **comparing said received content ID with said stored first content ID**".

In other words, the stored content (the content stored in the recitation "storing an item of multimedia content as stored multimedia content") is accessed by generating a received content ID and comparing that received content ID with a content ID of a transcoded version of the stored content (since the stored content ID is from the recitation "storing said content ID of said firstly transcoded version of said multimedia content, as a stored first content ID, in association with said stored multimedia content").

The outstanding Office Action, in the last paragraph on page 4 and the first paragraph on page 5, states as follow:

"A person of ordinary skill would have modified the attachment cache of Malik with the transcoding cache of Shen by including support for multiple versions of a media file, and the ability to transcode to a desired format.

It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the above invention in order to

provide a more efficient way of delivering content objects to end-users. (Shen paragraph [0059])"

Applicants now respectfully traverse the rejection of claim 1 in detail, by pointing out the following reasons, each of which is sufficient to render claim 1 allowable:

1. Applicants respectfully point out that the above-quoted statement from the Office Action is unaccompanied by any indication of a determination of the level of skill of a person of ordinary skill in the art, or an indication of why such a person would have arrived at the present invention. In the absence of such a determination, a finding of obviousness is not proper.

2. Applicants respectfully point out that Malik's attachment cache is only capable of finding, in the cache, an attachment which is identical to an attachment in a received e-mail message; Malik's cache would be incapable of finding an attachment in the cache when the attachment in the e-mail message is a transcoded version of an attachment in the cache. Nor does Shen, which deals with caching of transcoded versions of content objects, suggest any mechanism which would overcome this lack in Malik, and which could be combined with Malik in order to produce the present invention as claimed in claim 1.

3. Applicants respectfully point out that the rejection of claim 1 is deficient in that in fact the highlighted elements in the following recitation from claim 1, also quoted above, are not found in either Malik or Shen: "accessing said stored content **using said stored first content ID of said firstly transcoded version of said multimedia content**, said accessing comprising: generating a received content ID of said copy of said firstly transcoded version of said multimedia content; and looking up said stored multimedia content by **comparing said received**

content ID with said stored first content ID". In this respect, see the above general discussion of the recitation of claim 1.

4. Applicants respectfully point out that while the outstanding Office Action asserts that certain portions of the above-quoted recitation from claim 1 are found in Malik or Shen, the outstanding Office Action does not bring any evidence from either Malik or Shen for the following portion of the above-quoted recitation (emphasis added): "accessing said stored content **using said stored first content ID of said firstly transcoded version of said multimedia content**".

5. Applicants respectfully point out that Malik, taken as a whole, teaches that large attachments should be removed from e-mail messages and be replaced by pointers to attachment files in an e-mail store. Claim 1 includes the following recitation (emphasis added): "receiving an instruction to forward said item of multimedia content to a second multimedia device, **said instruction comprising a copy of said firstly transcoded version of said multimedia content**". Thus, Malik teaches away from the present invention as claimed in claim 1.

Therefore, the present Office Action has failed to make a *prima facie* case of unpatentability of claim 1, and the rejection of claim 1 should be withdrawn.

Claim 1 is therefore deemed allowable.

Claims 3 - 14 and 58 - 60 depend directly or indirectly from claim 1 and recite additional patentable subject matter.

Claims 3 - 14 and 58 - 60 are therefore deemed allowable.

Claim 29 is a system claim parallel to claim 1.

Claim 29 is deemed allowable with reference to the above discussion of the allowability of claim 1.

Claims 31 - 42 depend directly or indirectly from claim 29 and recite additional patentable subject matter.

Claims 31 - 42 are therefore deemed allowable.

Claims 2 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Malik, in view of Shen et al, in view of Warsta et al (US Published Patent Application 2004/0181550).

Warsta et al describes a system and method for providing previously adapted content to requesting network devices.

Claims 2 and 30 are dependent claims, depending respectively from claims 1 and 29, and reciting additional patentable subject matter.

Claims 2 and 30 are therefore deemed allowable with reference to the above discussion of the allowability of claims 1 and 29.

Claims 17 - 21 and 45 - 49 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Malik, in view of Shen et al, in view of Kobata et al (US Published Patent Application 2002/0077986).

Kobata et al describes a system for controlling and managing digital assets, typically over the Internet.

Claims 17 - 21 depend directly or indirectly from claim 1 and recite additional patentable subject matter.

Claims 17 - 21 are therefore deemed allowable with reference to the above discussion of the allowability of claim 1.

Claims 45 - 49 depend directly or indirectly from claim 29 and recite additional patentable subject matter.

Claims 45 - 49 are therefore deemed allowable with reference to the above discussion of the allowability of claim 29.

Claims 26, 27, and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Malik, in view of Shen et al, in view of Kobata, in view of Evans et al (US Published Patent Application 2003/0172121).

Evans et al describes a system for providing multimedia messages to incompatible terminals, including transcoding the messages.

Claim 26 is an independent system claim including recitation similar to that discussed above with reference to the rejection of claims 1 and 29. Applicants have studied Evans et al, and find that Evans et al does not remedy any of the deficiencies in the rejection of claims 1 and 29, nor does the position taken in the Office Action's rejection of claim 26 on the points raised in the above discussion of the rejection of claims 1 and 29 differ in material respects from the position taken in the rejection of claims 1 and 29.

Claim 26 is therefore deemed allowable with reference to the above discussion of the allowability of claims 1 and 29.

Claims 27 and 28 depend from claim 26 and recite additional patentable subject matter.

Claims 27 and 28 are therefore deemed allowable.

Applicants have also considered the following references, made of record but not relied upon in the present Office Action:

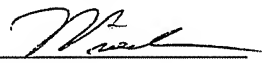
- US Patent 6,563,517 to Bhagwat et al, which describes a data quality adjusting system, including dynamic adjusting of transcoding parameters, intended to reduce response time in browsing.
- US Patent 6,128,623 to Mattis et al, which describes a high-performance caching system.

The invention as presently claimed is neither described nor suggested in the above-mentioned references, taken either individually or in combination, including combination with the references that were relied upon in the present Office Action.

In the above discussion of the allowability of the claims, and particularly but not exclusively in the above discussion of the allowability of the dependent claims based on the allowability of the respective base claims, discussion of other arguments for allowability of the claims has been omitted in the interest of brevity and clarity. Should a further Official Action issue rejecting one or more claims, Applicant reserves the right to present further arguments.

It is respectfully submitted that the present application is in condition for allowance. Entry of the present amendment, favorable reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,



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